

## SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

**July 8-12, 2002**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
7-9	EX	76/207,423	Hartford Fire Insurance Co.	Cissel Hairston* Chapman	2(d)	Refusal Reversed		"@VENTURE" [risk management information services]	"AVENTURES" [forming strategic alliances and joint ventures, providing technical assistance and making acquisitions and investments in order to develop and promote the commercialization of electronic content, products and services via a global computer network and other electronic media]	Tambourino	No
7-9	EX	75/783,289	Hytex Industries Inc.	Hohein Bottorff Holtzman*	2(d)	Refusal Affirmed		"BEDFORD" [decorative vertical textiles, namely, acoustical panels for vertical surfaces for buildings sold to the commercial interiors market through a distribution network of professionals who are with interior designers, facility managers and contractors in their respective markets]	2 cited registrations, owned by different entities: "BEDFORD VILLAGE" [prefinished wall paneling] and "BEDFORD PARK" [wallpaper sample; wallpaper]	B. Smith	No
7-10	EX	75/630,834	Satori Software, Inc.	Hohein* Bucher Rogers	2(e)(1)	Refusal Reversed		"MAILROOM TOOLKIT" [computer software for adding United States Postal Service (USPS) capabilities to conventional database programs for use by individuals, businesses and organizations]		Chosid	No

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7-10	CANC CANC (SJ)	30,363 30,364	Cashflow Tech- nologies, Inc. v. NetDecide	Quinn Hairston Drost [Opinion "By the Board" (Goodman)]	2(e)(1); whether applicant's mark has become distinctive through use in commerce	Petitions to Cancel Granted [Petition- er's motion for summary judgment granted as to both cancel- lation petitions]		"CASHFLOW" and "CASHFLOW" (and design) [both marks for computer software for individual financial modeling, management, planning, and online financial data transactions]			No
7-10	EX	75/833,536	The Sherwin- Williams Co.	Cissel Quinn Walters*	2(e)(1)	Refusal Affirmed		"PAINTING IMAGES" [computer software for use in creating, displaying, visualizing and mapping the effects of paint colors]		Bell	No
7-10	EX	75/591,159	European Telecommu- nications Standards Institute	Hairston Walters* Drost	whether portions of applicant's identification of goods are sufficiently definite or otherwise unacceptable	Refusal Affirmed, but only as to the terms "play- stations," "laboratory and scientific equip- ment," and "car kits"		"3GPP" [in applicant's extensive description of goods, the following words or phrases were held indefinite or otherwise unacceptable: "playstations," "network terminals," "networking infrastructure," "telecommunications transmitters," "lasers," "laboratory and scientific equipment," "electronic and magnetic storage media," "and/or, use of parentheses, "stations/handsets," "car kits," "transmitters," and "voice frequency transmitters"]		Gaskins	No

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7-10	EX	75/872,488	Mathis Instruments Ltd.	Hanak Walters* Chapman	2(e)(1)	Refusal Reversed		"TC PROBE" [electronic instrument for testing and measuring thermal properties of material, comprising a circuitry unit, a sensor unit, and related software sold as a unit]		Abrahams	No
7-10	EX	75/662,682	Pharmaceutical Technologies, Inc.	Bucher* Bottorff Holtzman	2(e)(1) [deceptively mis-descriptive]	Refusal Affirmed		"PHARMACY SMARTCARD" [prescription drug buying clubs incorporating non-electronically encoded membership cards]		Baird	No
7-11	EX	76/034,083	Rosemount Inc.	Simms Cissel Drost*	2(e)(1)	Refusal Affirmed		"HOOKUPS" [metal pipes and manually operated metal valves ( <i>Class 6</i> ), machine parts, namely, metal and plastic pipes and automatic and manually-operated metal valves ( <i>Class 7</i> ), and automatic valves ( <i>Class 9</i> ), all used to connect sensing equipment, transmitters, or controllers to industrial or manufacturing processes]		First	No
7-11	EX	75/586,073	RENCO Encoders Inc.	Simms Seeherman Walters*	2(e)(1)	Refusal Affirmed		"DYNAMIC RESOLUTION" [longitudinal and angle measuring apparatus, namely, linear, rotary and angle encoders; electrical controllers for the aforementioned goods]		Faint	No

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7-11	EX	75/222,500	Scala Collections Ltd.	Hanak Quinn Drost*	2(d)	Refusal Affirmed		"ARTIGIANO" [women's fashion wear and outerwear, namely, suits, jackets, skirts, trousers, shorts, blouses, dresses, sweaters, jumpers, pullovers, tunics, cardigans, waistcoats, blazers, halter and/or tank tops, vests, turtlenecks, polo shirts, t-shirts, sweatshirts, swimsuits, coats, raincoats, anoraks, parkas, scarves, belts, gloves, and footwear]	"ARTISANS, INC." [clothing, namely, shirts, sweaters, jackets, t-shirts, and caps]	Suarez	No
7-11	EX	75/615,858	VITAFLEX Dr. Walter Mauch GmbH	Cissel Quinn Wendel*	2(c) [whether written consent of named individual is required]	Refusal Reversed		"BY DR. MAUCH" [footwear, boots, gymnastic shoes, half-boots, inner soles, sandals, shoes, slippers, soles for footwear, sport shoes]		A. Matthews	No
7-12	OPP	103,270	Panelfold, Inc. v. ChemRex Inc.	Chapman* Wendel Drost	2(d)	Opposition Sustained	"SONICWAL" [folding and movable walls and partitions]	"SONOWALL" [primers for interior and exterior surface preparations; protective coatings in the nature of interior and exterior paints; elastomeric coatings for interior and exterior surfaces; elastomeric finishes for interior and exterior surfaces; and stucco base coating for walls]			No
7-12	EX	76/096,248	Leiner Health Services Corp.	Simms* Hanak Rogers	2(d)	Refusal Affirmed		"RELAXATION FORMULA" [vitamins and dietary food supplements]	"RELAXATION COMPLEX" [dietary and nutritional supplements]	Yontef	No

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7-12	EX	75/873,272	Stehle USA, Inc.	Simms* Walters Bottorff	2(d)	Refusal Affirmed		“STEHLE” (and design) [woodworking tools, namely, power, circular saw blades, milling cutters and tongue and groove cutters, jointing cutters for stationary shaping machines; molder tools for use on industrial molder machines; power driven planer heads, insert knives for industrial planing machines; power drill bits, bushes and spacer router bits; all for use as accessories attached to power-operated woodworking machines]	2 <i>cited registrations, both owned by the same entity:</i> “STIHL” [electric motors; saws, internal combustion engines, portable brush cutters and cutters for tree surgery driven by two-cycle internal combustion engines, tree bark removing devices, free cutting saws, separating grinding devices, earth drilling devices, and tractors] <i>and</i> “STIHL” (in slightly stylized lettering) [motor saws and parts thereof, <i>and other related products</i> ; abrasive and cutting-off machines and grinding wheels; power operated weed, grass and brush cutters, <i>and other related products</i> ; power-operated blowers and pesticide sprayers; earth boring machines and drills thereof; machine sharpeners for saw chains, tree harvesting machines, <i>and other related products</i> ]	Lincoski	No

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